

7/18/01
JR
CPS-183

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 00-1640

JOHN PAYNE,
Appellant

**FILED
HARRISBURG**

JUL 17 2001

MARY E. D'ANDREA CLERK
Per _____
DEPUTY CLERK

v.

MARTIN F. HORN, Commissioner; GREGORY R. WHITE, Superintendent, SCI Pittsburgh; HARRY CALLITHEN, Deputy-Superintendent, SCI Pittsburgh; TIMOTHY G. COLLINS, Deputy Superintendent II, SCI Pittsburgh; THOMAS P. BENDER, Grievance Coordinator, SCI Pittsburgh; KENNETH A. MARTIN, Counselor, SCI Pittsburgh; BONNIE KIBLER, Hospital Administrator, SCI Pittsburgh; PAUL NOEL, Dr., SCI Pittsburgh; DR. SYED, SCI Pittsburgh; DR. PARKS, SCI Pittsburgh; DR. RINCON, SCI Pittsburgh; CAROL DOE, Nurse, SCI Pittsburgh; FRANK COLE, Lieutenant, SCI Pittsburgh; MARTIN L. DRAGOVICH, Superintendent, SCI Mahanoy; JANE DOE, Nurse, SCI Mahanoy; DR. JOHN DOE, Dermatologist, SCI Mahanoy; OFFICER BANTA, Lieutenant, SCI Mahanoy; OFFICER FRYZEL, Lieutenant, SCI Mahanoy; OFFICER POST, Sergeant, SCI Mahanoy; JEFFREY THOMAS, Officer, SCI Mahanoy; OFFICER COFFMAN, SCI Mahanoy; OFFICER KURTZ, SCI Mahanoy; OFFICER BARTO, SCI Mahanoy; CHARLES H. ZIMMERMAN, Superintendent, SCI Waymart; JENNY LOOMIS, Physician Assistant, SCI Waymart; DR. NOVELL, SCI Waymart; OFFICER WELLING, Lieutenant, SCI Waymart; OFFICER PETRIKOVICH, Sergeant, SCI Waymart; OFFICER GAVIN, Captain, SCI Waymart; OFFICER VANFLEET, Sergeant, SCI Waymart; OFFICER MCMURRAY, SCI Waymart; RICHARD RUSSIAN, SCI Waymart

On Appeal From the United States District Court
For the Middle District of Pennsylvania
(D.C. Civ. No. 00-cv-00489)
District Judge: Honorable Sylvia H. Rambo

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B) or Summary Action
Under Third Circuit LAR 27.4 and I.O.P. 10.6
May 17, 2001

Before: MANSMANN, RENDELL and STAPLETON, Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted for possible dismissal under 28 U.S.C. § 1915(e)(2)(b) or summary action under Third Circuit LAR 27.4 and I.O.P. 10.6. On consideration whereof, it is now here

ORDERED AND ADJUDGED by this court that the judgment of the District Court entered April 18, 2000 be and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron
Clerk

DATED: June 4, 2001

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Certified as a true copy and issued in lieu
of a formal mandate on July 13, 2001

Teste: 

Clerk, United States Court of Appeals
for the Third Circuit